

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Theodoros K.,

Case No. 20-CV-2228 (KMM/ECW)

Plaintiff,

v.

ORDER

Kilolo Kijakazi,

Defendant.

The above matter comes before the Court upon the Report and Recommendation (R&R) of United States Magistrate Judge Elizabeth Cowan Wright, dated January 19, 2022 (ECF No. 37). No objections have been filed to that R&R in the time period permitted.

The Court reviews de novo any portion of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). In the absence of objections, the Court reviews the R&R for clear error. *Nur v. Olmsted County*, __ F. Supp. 3d ___, 2021 WL 4444813, at *1 (D. Minn. 2021) (citing Fed. R. Civ. P. 72(b) and *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)). Based on the Court's careful review of the R&R and the record in this case, the Magistrate Judge committed no error, clear or otherwise.

IT IS HEREBY ORDERED THAT:

1. Plaintiff Theodoros K.'s Motion for Summary Judgment (ECF No. 27) is **GRANTED IN PART**;

2. Defendant Acting Commissioner of Social Security Kilolo Kijakazi's Motion for Summary Judgment (ECF No. 29) is **DENIED**;

3. This case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings consistent with the Report and Recommendation; and

4. This case is **DISMISSED WITH PREJUDICE**.

Let Judgment Be Entered Accordingly.

Date: **February 7, 2022**

s/ Katherine M. Menendez

Katherine M. Menendez
United States District Judge